



# 19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rabbani et al.

Serial No. 08/978,633

Filed: November 25, 1997

Title: NOVEL PROPERTY EFFECTING AND/OR  
PROPERTY EXHIBITING COMPOSITIONS  
FOR THERAPEUTIC AND DIAGNOSTIC USES

Group Art Unit: 1635

Examiner: Mary M. Schmidt

527 Madison Avenue, 9th Floor  
New York, New York 10022  
June 12, 2002

**FILED BY EXPRESS MAIL**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Box DAC**

Attention: Office of Deputy Assistant Commissioner for Patents  
2121 Crystal Drive, Crystal Park 2 - Suite 913  
Arlington, Virginia 22202

RECEIVED

JUN 18 2002

OFFICE OF PETITIONS

**PETITION UNDER 37 C.F.R. §1.137(b) TO REVIVE  
AN UNINTENTIONALLY ABANDONED APPLICATION**

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed. A response to the previously issued December 19, 2000 Office Action was originally due on March 19, 2001, and that deadline was extended to June 19, 2001 by a Request For Extension Of Time (3 Months) filed on December 5, 2000. Upon the expected granting of this Petition, the accompanying response in the form of an Amendment Under 37 C.F.R. §1.115 will be considered as having been timely filed.

06/19/2002 AUGNDAF1 00000020 051135 08978633

01 FC:241 640.00 CH

Enz-53(D1)

CV

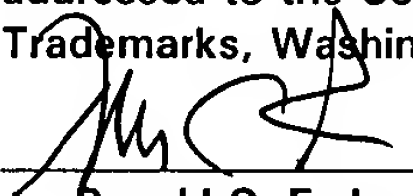
Rabbani et al.

Serial No. 08/978,633

Filed: November 25, 1997

Page 2 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally  
Abandoned Application – June 12, 2002)

---

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>EL831284128US</u>	
Deposit Date	<u>June 12, 2002</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	<u>JUNE 12 2002</u> Date

**RECEIVED**

**JUN 18 2002**

**OFFICE OF PETITIONS**

Rabbani et al.

Serial No. 08/978,633

Filed: November 25, 1997

Page 3 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally  
Abandoned Application – June 12, 2002)

The above-identified application became unintentionally abandoned after June 19, 2001, which was the date that a response to the December 19, 2001 Office Action was originally due. A Notice was mailed on October 26, 2001 indicating that "Applicants' RCE filed June 19, 2001 is improper. Suspension mailed to applicant June 26, 2001 is not valid. See attached." A copy of the October 26, 2001 Notice is attached as Exhibit 1.

It is hereby requested that this application be revived because the entire delay in filing the response to the December 19, 2001 Office Action until the filing of this Petition was unintentional. A Terminal Disclaimer To Accompany Petition is attached to this paper as Exhibit 2.

As indicated above, a response to the December 19, 2001 Office Action in the form of an Amendment Under 37 C.F.R. §1.115 is being submitted concurrently herewith and is attached as Exhibit 3.

The fee for filing a Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b) is \$640.00 for a small entity. Small entity status was previously established in this application and is still applicable. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite large entity fee of \$640.00. The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition, the attached Amendment (Exhibit 3), or Terminal Disclaimer (Exhibit 2).

A duplicate copy of this Petition but without attached Exhibits 1-3 is also submitted herewith.

Rabbani et al.

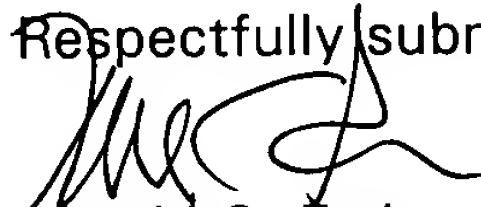
Serial No. 08/978,633

Filed: November 25, 1997

Page 4 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally  
Abandoned Application – June 12, 2002)

Favorable action on this Petition is earnestly solicited.

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

ENZO THERAPEUTICS, INC.

c/o Enzo Biochem, Inc.

527 Madison Avenue (9<sup>th</sup> Fl.)

New York, New York 10022

Telephone: (212) 583-0100

Fax: (212) 583-0150

**RECEIVED**

JUN 18 2002

OFFICE OF PETITIONS